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Larry Evans, Vice Chairman

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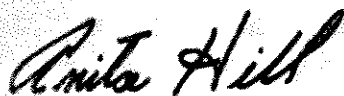
# HOUSE RESEARCH ORGANIZATION

## daily floor report

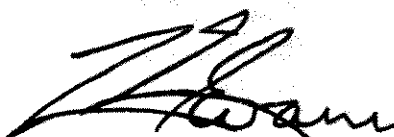
Wednesday, Jan. 9, 1991  
The House convenes at 10 a.m.

The House today is expected to consider the Housekeeping Resolution and the House Rules for the 72nd Legislature. Proposals for both were distributed on Monday and are summarized in today's Daily Floor Report, along with some rule changes proposed by Rep. Al Price and Common Cause.

Ballots for approval or disapproval by the House membership of eight members nominated to serve four-year terms on the House Research Organization steering committee were distributed to all members yesterday. Any member who has not received a ballot should contact the HRO office at 463-0752 as soon as possible. Members are requested to return their ballots no later than 5 p.m. tomorrow.



Anita Hill  
Chairman



Larry Evans  
Vice Chairman

salary of \$2,500 in 1991 and 1992, with the approval of the speaker and house administration. (A cap of \$2,000 a month would remain on the salaries of research assistants for the chairs of budget and oversight subcommittees. Budget and oversight subcommittee research assistants may only be hired for the five months of the regular session.)

### Funding of House Caucuses

The House Administration Committee, with the speakers' approval, would be allowed to fund caucuses or organizations composed exclusively of House members. House administration would have the authority to adopt policies determining the eligibility for funding of such organizations and restricting how the funds could be spent (pp. 6-7).

### Budget and Salary Limits in Housekeeping Resolution

	68th	69th	70th	71st	Proposed 72nd	
<b>Monthly member account credit</b>						
Session	\$6,500	\$6,500	\$6,500	\$7,000	\$7,250	
Interim	\$5,500	\$5,500	\$5,500	\$6,000	\$6,250	
<b>Monthly total salary limit</b>						
Session	\$6,500	\$6,500	\$6,500	\$7,000	\$7,250	
Interim	\$5,500	\$5,500	\$5,500	\$6,000	\$6,250	
<b>Maximum Individual Salary</b>	\$1,850	\$1,850	\$2,000	\$2,250	\$2,375	(1991)
					\$2,500	(1992)

House Research Organization

## PROPOSED HOUSE RULE CHANGES

The proposed permanent Rules of the House for the 72nd Legislature would make several changes in the House Rules adopted for the 71st Legislature.

### Committee Changes

The number of members of the Committee on Redistricting would be increased from nine to 15 (p. 40 of the proposed rules).

No substantive changes in committee jurisdiction are proposed other than to add "technology transfer" to the jurisdiction of the Science and Technology Committee. Agencies under committee purview would remain unchanged other than to reflect name changes due to recent statutory revisions and to delete jurisdiction over the Texas Indian Commission and the Governor's Commission on Physical Fitness, which are now defunct.

If a vacancy in a member's seat were not filled when the committee membership was determined, the new representative filling the vacancy would not be entitled to select a committee assignment on the basis of seniority. When the committees were appointed, committee appointments for the vacant seat would be designated by district number (p. 48).

If the fifth day of the five-day deadline for filing committee meeting minutes following a committee meeting fell on a weekend or holiday, the minutes could be filed on the next working day. Duplicates of the minutes, rather than originals, would be available for public inspection (p. 56).

Committee hearing notices would be posted "in accordance with the rules," rather than by the committee chair (p. 52). Interim committee meeting notices would have to be posted in accordance with rules, and committee members would have to be notified five calendar days in advance of any meeting (p. 53).

### Calendars

Committees no longer could recommend that bills or resolutions be assigned to the Local, Consent or Resolutions Calendars. Instead committees could recommend that bills or resolutions be sent to the Local and Consent Calendars Committee, which would assign them an appropriate calendar (pp. 63, 108, 116 and 117).

Bills or resolutions removed from the Local, Consent or Resolutions Calendars no longer would be returned to the Local and Consent Calendars Committee but would be sent directly to the Calendars Committee (p. 118). Under the current rules, bills and resolutions removed from the Local, Consent or Resolutions Calendars are returned to the Local and Consent Calendars Committee for possible reassignment to a calendar; if the bill or resolution is removed a second time, it is returned to the Calendars Committee.

Concurrent resolutions seeking a convention to amend the U.S. Constitution would be assigned to the Constitutional Amendments Calendar (p. 107).

### **Congratulatory and Memorial Resolutions**

The Congratulatory and Memorial Resolutions Calendar could not be considered until 24, rather than 48, hours had elapsed after its distribution to the members (p. 109-110).

Congratulatory and memorial resolutions concerning persons other than current and former members of the Legislature could be not be read in full unless the intended recipient was present on the House floor or gallery. Members would have to notify the chair in advance of consideration of the resolutions calendar of any resolutions required to be read in full.

Members no longer would have up to three minutes to explain resolutions. Instead, the reading clerk would be recognized to read resolutions on the calendar by number, type of resolution, author or sponsor and name of person(s) designated in the resolutions. The resolutions read would be adopted by a single motion. After these resolutions were read and adopted, the House would consider those resolutions that are to be read in full, which would be adopted individually (p. 111).

### **List of Items Eligible for Consideration**

A list of Items Eligible for Consideration would be printed and distributed by the chief clerk to the members upon request of the speaker and when warranted by the volume of legislation. The list would include pending Senate amendments to House bills, Senate requests for appointment of conferees, and conference committee reports. The list could be considered by the House any time after it was printed and distributed (p. 113-114).

## **Conference Committee Reports**

The current rules provide that conference committee reports on appropriations, tax, recodification and redistricting bills must be printed and a copy furnished to each member at least 48 hours before any action may be taken. The proposed rules would provide that these restrictions apply only to conference reports on general, rather than all, appropriation bills and that the distribution period for consideration be reduced to 24 hours in special sessions (p. 176).

Three original copies of conference committee reports would have to be submitted to the chief clerk for printing. Each report would have to include the required signatures of House and Senate conferees, the text of the bill or resolution and the comparative analysis of the House and Senate versions already required in the rules (p. 177).

## **Special Vote for Dedicated Funds**

The proposed rules would delete current rule provisions requiring a separate vote of approval in order to create a dedicated fund. The provisions require that bills or the portion of a bill dedicating revenue or creating new funds with dedicated revenue sources must be voted on separately on third reading and be approved by at least 2/3rds of the membership (pp. 98-99, 143-44). (This rule was added in 1987.)

## **Deadline to Record Vote in Journal**

The deadline for members to record their vote in the House Journal if they were absent for a record vote or when a non-record vote was taken would be changed from 30 minutes after the vote to one hour (pp. 99, 101-102). (The deadline was changed from two hours to 30 minutes in 1989.)

## **Policy Impact Statements**

As provided in SB 1, the school finance bill enacted during last year's sixth called session, the proposed rules would require that bills affecting public education include an equalized education funding impact statement. As with the criminal justice policy statements established in 1989, the chairs of the committees (rather than the director of the Legislative Budget Office) would decide if a bill or resolution should be sent to the Legislative Budget Office for preparation of a policy statement. The statement would have to be attached to the bill or resolution on first printing prior to any hearing and remain with the bill through subsequent printings. An updated

statement would be prepared if the measure were amended in committee. A copy of the statement would be send to the author or sponsor (pp. 63, 69-71, 165).

The deadline for the Texas Water Development Board and the Texas Water Commission to provide water policy impact statements on water district bills would be reduced from 30 days to 14 days during special sessions (p. 75).

### **Appropriations**

Budget and oversight subcommittees would no longer hold separate hearings on the state agency budgets under their jurisdiction but would hold joint hearings with the Appropriations Committee. The requirement that the Appropriations Committee hold hearings on the budget recommendations of the substantive committees would be eliminated. The budget and oversight subcommittees, substantive committees and the Appropriations Committee would not be barred from holding other appropriations hearings in addition to the joint hearings. (pp. 148-150).

A reference to Art. VII of the General Appropriations bill, dealing with capital outlays, would be eliminated (p. 147).

### **Committee Coordinator**

The committee coordinator could designate someone else to perform her duties. Under the existing rules, the House Administration Committee is to promulgate a schedule of regular committee meetings and prescribe the form for sworn statements; under the proposed rules, the committee coordinator would formally assume those duties, under the direction of House Administration. Also, the committee coordinator would, as directed by the committee chairs, post committee meeting notices as prescribed by the rules; the provision that the chair is to perform that duty would be eliminated. (pp. 17-18, 51-52, 78-77).

### **Amendment Germaneness**

An amendment to a committee substitute would be considered germane (relevant to the subject) if the subject of the amendment related to either the committee substitute or the original version of the bill (p. 158).

### **Miscellaneous**

If a member were granted leave of absence due to a meeting of committee or conference committee with permission to meet while the House was in session, that

fact would be designated on each roll call vote or registration for which the member was excused (p. 85).

For water district bills, 15, rather than 14, copies would be filed with the chief clerk (p. 138).

### **Other Suggested Rule Changes**

Common Cause of Texas and Rep. Al Price have circulated other proposals for changes in the House rules.

Rep. Price, in a letter sent to House members on Dec. 20, proposed that Rule 4, sec. 2, which allows each member to be appointed to one committee preference on the basis of seniority, be changed to allow each member two committee picks on the basis of seniority. Rep. Price has also suggested deleting Rule 1, sec. 16(e), which provides that all chairs and vice chairs of committees "serve at the pleasure of the speaker."

Another proposal by Rep. Price would amend Rule 3, sec. 4, which establishes the jurisdiction of the Calendars Committee, to direct that once bills are assigned to a calendar that they "leave the Calendars Committee in the same order in which they arrive." He also would delete Rule 5, sec. 42, which requires that members with a personal or private interest in any measure disclose that fact and not vote, because it restates the same provision as Art. 3, sec. 22 of the Texas Constitution, thereby allowing the speaker to rule parliamentarily on a constitutional matter. He also has proposed that representatives be limited to serving one term as speaker during their tenure in the House.

Common Cause of Texas has proposed rule changes for both the House and the Senate because, they say, "the rules adopted in recent sessions have concentrated much power in the presiding officer of each body." Common Cause proposes that committees elect their own chairs rather than their being appointed by the speaker. It proposes that the process of assigning members to committees by seniority be made public to "remove suspicion of wrong-doing or collusion from what should be an easily-automated process." Another Common Cause proposal would "explicitly state that Calendars Committee meetings are open meetings, and make them so."